

New York State Department of Environmental Conservation

Division of Environmental Remediation

615 Erie Blvd W, Syracuse, New York 13204

P: (315) 426 7519 | F: (315) 426-2653

www.dec.ny.gov

05/10/2017

VIA ELECTRONIC MAIL

GINNY HOPKINS
EHS MANAGER
METALICO SYRACUSE REALTY INC
6225 THOMPSON RD
EAST SYRACUSE, NY 07016

Re: **NOTICE OF VIOLATION**

Petroleum Bulk Storage (PBS) Program Site Inspection -6NYCRR Part 613

PBS# 7-437999, Inspection# 57689

METALICO ALUMINUM RECOVERY INC

6225 THOMPSON RD

EAST SYRACUSE, NY 13057

Dear Ms. Hopkins:

On May 10, 2017 Department staff inspected the METALICO ALUMINUM RECOVERY INC facility to determine compliance with New York State's PBS regulations. The following violations were identified during that inspection and need your immediate attention to bring your facility into compliance. Citations to the applicable regulations are noted in brackets and pertain to the tank(s) that is listed. A copy of the inspection checklist is enclosed for your reference.

The law requires that you comply fully with the PBS regulations. You must correct all of the violations noted below within the stated time frame(s) and submit required documentation.

SUBPART 4 TANK # AD-1, AD-2, AD-3

Secondary containment (ASTs 10,000 gallons or larger / ASTs less than 10,000 gallons near a sensitive receptor) - not maintained - [613-4.2(a)(6)]. The secondary containment system for the above referenced tank is not being properly maintained. The poor condition of the secondary containment indicates that the secondary containment system will not prevent discharged petroleum from reaching the land or waters of the State. The facility must keep all gauges, valves and other equipment for spill prevention in good working order. Within 30 calendar days from the date of this letter, repair the secondary containment system and submit documentation that it has been repaired.

Corrective Action and Penalties

As a result of these violations, you are subject to penalties. Pursuant to Environmental Conservation Law Section 71-1929, you may be liable for a civil penalty of up to \$37,500 per day for each of the above noted violations. The violations identified in this letter require your immediate attention. Delays in correcting the violations noted above will affect the amount of penalties for which you will be liable. In addition, under Environmental Conservation Law Section 71-1933, a person may be held criminally liable if any of the foregoing violations was the result of intentional, knowing or criminally negligent conduct.

Note that the inspection may not have disclosed all violations that exist at your site. You are responsible for ensuring that the entire facility is in compliance with applicable requirements.

Except where a shorter time frame is expressly required, within 30 calendar days from the date of this notice you must submit either documentation that the violations have been corrected or a plan to achieve compliance, as noted above. In accordance with any corrective action plan, you must submit documentation after compliance is achieved.

Sincerely,



Digitally signed by Kevin C Kemp
DN: cn=Kevin C Kemp, o=NYS DEC, ou=DER Spill Prevention
and Response, email=Kevin.Kemp@dec.ny.gov, c=US
Date: 2017.05.10 16:15:59 -04'00'

Kevin C Kemp PE
Professional Engineer 1 (Environmental)

Enclosures:

Inspection checklist



PBS # :
7-437999

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Petroleum Bulk Storage Program
Facility Information Report

Printed : 5/2/2017

pbstacpt.foil.rpt

Page 1 of 2

Site Information

METALICO ALUMINUM RECOVERY
6225 THOMPSON RD
EAST SYRACUSE, NY 13057

Tax Map Information

Block:
Lot:

Site Owner Information

METALICO SYRACUSE REALTY INC
6225 THOMPSON RD
EAST SYRACUSE, NY 07016

Mail Correspondent Information

METALICO SYRACUSE REALTY INC
6225 THOMPSON RD
EAST SYRACUSE, NY 07016

Site Phone: (315) 430-9500

Town: Dewitt

County: Onondaga

Class B (On-Site) Operator: ANDY CLEMENT

Class A (Primary) Operator:

Emergency Contact: GINNY HOPKINS

(315) 430-9500

Owner Type : Corporate/Commercial/Other

ATTN: GINNY HOPKINS

(315) 430-9500

Authorized Representative: GINNY HOPKINS

Emergency Phone: (315) 558-6263

Site Status : Active

Reg Expires : 07/05/2021 Cert Printed: 07/01/2016 Total Active Tanks : 7 Last Inspected: 10/15/2002

Site Type : Manufacturing (Other than Chemical)/Processing Cert Issued: 07/01/2016 Total Active Capacity : 4,340 Inspected By: HTM

(2) Tank No	(3) Tank Loc	(4) Date Install	(5) Date Closed	(6) Capacity (gals)	(7) Product	(8) Type	(9) Tank IP	(10) Tank FP	(11) Tank SC	(12) Tank LD	(13) Tank OP	(14) Tank SP	(15) Tank Disp	(16) Pipe Loc	(17) Pipe Type	(18) Pipe FP	(19) Pipe SC	(20) Pipe LD	(21) Pipe IDC	Next Line Test	Tank Owner
101	3	1	07/05/2006	1,000	0008	01	00	01	01	00	04	00	02	01	01	00	00	00	09		METALICO SYRAC
102	3	1	07/05/2006	2,000	0008	01	00	01	01	00	04	00	02	01	01	00	00	00	09		METALICO SYRAC
105	3	1	07/05/2011	300	2712	01	00	01	01	00	04	00	02	01	01	00	00	09			METALICO SYRAC
AD-1	3	1	09/01/2006	180	0022	01	00	01	01	00	04	00	02	01	00	00	01	00	X		METALICO SYRAC
AD-2	3	1	09/01/2006	180	0022	01	00	01	01	00	04	00	02	01	00	00	01	00	X		METALICO SYRAC
AD-3	3	1	03/31/2014	180	0009	01	00	01	01	00	04	00	02	01	00	00	01	00	X		METALICO SYRAC
106	2	2	04/18/2014	500	0008	01	00	01	01	00	04	00	02	01	00	00	01	00	X		METALICO SYRAC
001	5	3	06/01/1986	1,000	0009	01	00	00	04	99	05	02	02	01	00	00	00	00			METALICO SYRAC
002	5	3	12/01/1978	2,000	0009	01	00	00	00	99	00	02	00	01	00	00	00	00			METALICO SYRAC
003	5	3	12/01/1986	2,000	0008	01	00	00	00	99	05	02	02	01	00	00	00	00			METALICO SYRAC
006	1	3	06/01/1970	275	2642	01	00	01	01	00	04	00	02	01	00	00	00	00			METALICO SYRAC

1.0000

New York State Department of Environmental Conservation – Petroleum Bulk Storage (PBS) Inspection Form

DATE: 5/10/17 DEC INSPECTOR: Frank Bondi
 FACILITY REP. Ginny Hopkins
 PBS #: 7-43799 or ☐ Unregistered NAME & TITLE _____
 FACILITY NAME: Metalico Aluminum Recy CLASS A OPERATOR _____
 FACILITY ADDRESS: 6225 Thompson Rd NAME & AUTH #: _____
E. Syracuse NY 13057 CLASS B OPERATOR _____
 FACILITY PHONE NUMBER: 315-430-9500 NAME & AUTH #: _____

Facility-Level Information

1. Is the inspection announced or unannounced?	<input checked="" type="checkbox"/> Announced <input type="checkbox"/> Unannounced
2. Is the registration certificate posted at the facility?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> 1 (no access)
3. Is the registration information current and accurate?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> 1 (expired registration) <input type="checkbox"/> 2 (unregistered facility) <input type="checkbox"/> 3 (unregistered tank)

Tank-Specific Information

Tank Registration #

	101/102	105	AD1 AD2	AD3	106
Applicable Subpart: 2 / 3 / 4	4				
Product Stored/Tank Volume	DD	42	44	35	D
Date Installed					
4. Are monitoring/observation wells marked and secured? Y / N / X (no wells)	✓	✓	✓	✓	✓
5. Have dispenser sumps been properly maintained? Y / N (accumulation of product) / X (no sump; not required) / 1 (accumulation of water/debris) / 2 (no access) / 3 (sump required but not present)	X				X
6. For motor fuel tank systems with pressurized piping, are shear valves properly installed and operable? Y / N (no shear valve) / X (not pressurized piping) / 1 (inoperative valve) / 2 (improperly installed) / 3 (no access)	X	X			X
7. Was the tank properly permanently closed or did it undergo a change-in-service? Y / N / X (active or out-of-service tank) / 1 (tank closed w/o notification)	X	2			X
8. If the tank system is out-of-service, has it been out-of-service for more than 12 months? Y / N / X (active tank) / 1 (permanently closed tank system)	X				X
9. Were any spills observed? (Include suspected releases from leak detection equipment and uninvestigated inventory discrepancies.) Y / N	N				N
10. Have tank top sumps been properly maintained? Y / N (accumulation of product) / X (no sump) / 1 (accumulation of water/debris) / 2 (no access)	X				X
11. Have spill buckets been properly maintained? Y / N (accumulation of product) / X (no spill bucket) / 1 (accumulation of water/debris) / 2 (no access)	X				X
12. Is the fill port/tank color coded/marked to identify the product in the tank system? Y / N / X (day tank) / 1 (incorrectly color coded/marked)	YY				Y

Subpart 4 AST Systems

	101/102	105	AD1 AD2	A123	106
53. For Cat. 2 and 3 ASTs, does the AST meet standards? Y / X (Cat. 1 AST) If not, how is the tank deficient? 1 (tank not welded steel) / 2 (no surface coating) / 3 (tank resting on soil w/o cathodic protection) / 4 (tank on grade w/o impermeable barrier) / 5 (no leak monitoring between tank & barrier)	YY	Y			
54. Is the cathodic protection system being evaluated regularly? Y / X (no CP system required) / 1 (no annual survey) / 2 (no 60-day inspection for impressed current systems) / 3 (records not maintained) / 4 (minimum protection not provided/failed annual survey) / 5 (operator has not completed appropriate repair in response to test results)	XX	X			
55. For ASTs ≥10,000 gallons (or ASTs <10,000 gallons within 500 feet of a sensitive receptor), is the secondary containment adequately designed and in good condition? Y / N (no secondary containment) / X (secondary containment not required) / 1 (secondary containment not maintained) / 2 (inadequate design)	YY	Y	XX ① ②		Y
56. For ASTs <10,000 gallons that are using alternatives to secondary containment, are DER-25 issues addressed? Y / N / X (not required/applicable) / 1 (equipment not maintained)	XX	X			
57. Are dike drain valves locked in a closed position? Y / N (unlocked) / X (no dike/discharge pipe) / 1 (no valve on discharge pipe)	XX	Y	XX	XX	Y
58. Does the AST have a gauge, high-level alarm, high-level liquid pump cut-off controller, or an equivalent device? Y / N / 1 (inoperative)	YY	Y			Y
59. Is the tank marked with design & working capacities and tank ID number? Y / N / 1 (incomplete label)	YY	Y			Y
60. Is a solenoid or equivalent valve in place for gravity-fed motor fuel dispensers? Y / N / X (AST system not storing motor fuel OR dispensers not gravity-fed) / 1 (inoperative) / 2 (valve not adjacent to and downstream from the operating valve)	YY	X	XX	XX	Y
61. Is a check valve in place for pump-filled ASTs with remote fills? Y / N / X (no remote fill) / 1 (inoperative)	X2	X			X
62. Is an operating valve in place on every line with gravity head? Y / N / X (no gravity head on line) / 1 (inoperative)	YY	Y	YY	Y	Y
63. Does the facility conduct monthly inspections for all AST systems? Y / N / 1 (records not maintained)	Y				
64. Does the facility conduct ten-year inspections for Cat. 1 AST systems? Y / N / X (not required per Part 613-4.3(a)(1)(iii) OR Cat. 2/3 AST system) / 1 (records not maintained)	X				
65. Does the facility conduct tightness testing at ten-year intervals for underground Cat. 1 piping? Y / N / X (Cat. 2/3 piping) / 1 (test report not submitted)	X				